

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

NATIONAL RIFLE ASSOCIATION OF  
AMERICA,

*Plaintiff and Counter-Defendant,*

and

WAYNE LAPIERRE and  
THE NRA FOUNDATION, INC.,

*Third-Party Defendants,*

v.

ACKERMAN MCQUEEN, INC.,

*Defendant and Counter-Plaintiff,*

and

MERCURY GROUP, INC., HENRY  
MARTIN, WILLIAM WINKLER, and  
MELANIE MONTGOMERY,

*Defendants.*

Case No. 3:19-cv-02074-G

**NOTICE OF DISMISSAL WITHOUT PREJUDICE OF THE NRA FOUNDATION, INC.**

PLEASE TAKE NOTICE that, pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i), Third-Party Plaintiff Ackerman McQueen, Inc. (“*AMc*”) hereby dismisses all of its claims against Third-Party Defendant, the NRA Foundation, Inc. (the “*NRA Foundation*”), in this matter without prejudice to refile same. AMc filed its Second Amended Third-Party Complaint naming the NRA Foundation as a Third-Party Defendant on March 12, 2021. *See* ECF 210. The NRA Foundation was served with AMc’s Second Amended Third-Party Complaint. As of the

filing of this Notice, the NRA Foundation has not served either an answer or a motion for summary judgment. *See* FED. R. CIV. P. 41(a)(1)(A)(i).

Dated: June 8, 2021.

Respectfully submitted,

/s/ Brian E. Mason

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**ACKERMAN MCQUEEN, INC., MERCURY**

**GROUP, INC., HENRY MARTIN, WILLIAM**

**WINKLER, AND MELANIE MONTGOMERY**

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2021, I served the document on all counsel and/or pro se parties of record by a manner authorized by Federal Rules of Civil Procedure 5(b)(2).

/s/ Brian E. Mason

BRIAN E. MASON